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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,509	10/02/2000	Kiyoshi Kaneko	1232-4650	4486
27123	7590	09/10/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P.			LAMB, TWYLER MARIE	
3 WORLD FINANCIAL CENTER			ART UNIT	
NEW YORK, NY 10281-2101			PAPER NUMBER	

2622

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/677,509

Applicant(s)

KANEKO ET AL.

Examiner

Twyler M. Lamb

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
TWYLER LAMB  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Specification*

2. The abstract of the disclosure is objected to because it exceeds 150 words.

Correction is required. See MPEP § 608.01(b).

Correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-8, 10, 22-25 and 27-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitation "the image read" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the step..." in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the image read" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the step..." in line 6. There is insufficient antecedent basis for this limitation in the claim.

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Claim 10 recites the limitation "the step..." in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the step..." in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the step..." in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the image read step..." in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the step..." in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the image read step..." in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the clock generating step..." in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 24 recites the limitation "the image read step..." in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 24 recites the limitation "the output clock generating step..." in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 24 recites the limitation "the dummy clock generating step..." in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "the image read step..." in line 2. There is insufficient antecedent basis for this limitation in the claim.

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Claim 25 recites the limitation "the drive frequency change step..." in line 4.

There is insufficient antecedent basis for this limitation in the claim.

Claim 27 recites the limitation "the image read step..." in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 27 recites the limitation "the clock generating step..." in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 27 recites the limitation "the removing step..." in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the image read step..." in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the output clock generating step..." in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the clock changing step..." in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the dummy clock generating step..." in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 29 recites the limitation "the dummy data output step..." in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 2-8 are rejected because they depend on rejected base claims.

Correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaneko (US 6,353,485).

With regard to claims 1-37, Kaneko either explicitly or inherently discloses all of the claimed limitations as is evidenced by the fact that image input/output device of Kaneko teaches the printing resolution of the printing apparatus is 360 dpi and the reading resolution of the scanner is 300 dpi; the image processing IC 21 generates the reading period signal (RDP) 503 corresponding to the reading period of the 360 dpi resolution (T360 in FIG. 10), and inputs the signal into the counter circuit block 901. The counter circuit block 901 counts the signal width of the input signal based on the internal clock (ICLK) 502, and generates a pulse corresponding to the reading period of

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the 300 dpi resolution (T300 in FIG. 10), thus generating a reading period signal (RDP') 903. Then, the counter circuit block 901 outputs the reading period signal (RDP') 903 into the synchronizing circuit block 902. Please note (col 7, lines 15-29; col 11, line 18 – col 12, line 2; col 10, lines 21-23; col 10, line 25 – col 11, line 6).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

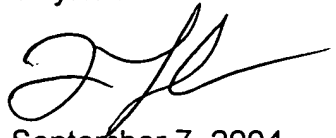
Crystal Park Two  
2121 Crystal Drive  
Arlington, VA.  
Sixth Floor (Receptionist)

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Twyler Lamb

A handwritten signature in black ink, appearing to read 'T. Lamb', with a long horizontal flourish extending to the right.

September 7, 2004